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11 IN THE UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA,
14 Plaintiff,
15 v.
16 JOSE MANUEL CHAVEZ ZEPEDA, and
DENIS ZACARIAS PONCE CASTILLO
Defendants.

CASE NO. 2:22-CR-0064-JAM
STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER
DATE: May 24, 2022
TIME: 9:30 a.m.
COURT: Hon. John A. Mendez

17 STIPULATION

18 1. By previous order, this matter was set for status on May 24, 2022.

19 2. By this stipulation, defendants now move to continue the status conference until June 21,
20 2022, at 9:30 a.m., and to exclude time between May 24, 2022, and June 21, 2022, under Local Code
21 T4.

22 3. The parties agree and stipulate, and request that the Court find the following:

23 a) The government has represented that the discovery associated with this case
24 includes more than 2,400 pages of investigative reports, photographs, phone toll records, and
25 other materials. All of this discovery has been produced directly to counsel. In addition, the
26 government has made available for review more than 2,900 pages of additional materials, as well
27 as video and audio recordings. The government is willing to produce this material directly to
28 counsel subject to an appropriate protective order, which the parties are discussing.

1 b) Counsel for defendants desire additional time to review the discovery, to negotiate
2 the terms of a protective order with the government, to review the charges and potential
3 responses with their clients, to conduct factual investigation and legal research, and to otherwise
4 prepare for trial.

5 c) Counsel for defendants believe that failure to grant the above-requested
6 continuance would deny them the reasonable time necessary for effective preparation, taking into
7 account the exercise of due diligence.

8 d) The government does not object to the continuance.

9 e) Based on the above-stated findings, the ends of justice served by continuing the
10 case as requested outweigh the interest of the public and the defendant in a trial within the
11 original date prescribed by the Speedy Trial Act.

12 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
13 et seq., within which trial must commence, the time period of May 24, 2022 to June 21, 2022,
14 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]
15 because it results from a continuance granted by the Court at defendant's request on the basis of
16 the Court's finding that the ends of justice served by taking such action outweigh the best interest
17 of the public and the defendant in a speedy trial.

18 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
19 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
20 must commence.

21 IT IS SO STIPULATED.

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23
24 Dated: May 19, 2022

PHILLIP A. TALBERT
United States Attorney

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26 _____
27 /s/ DAVID W. SPENCER
28 DAVID W. SPENCER
 Assistant United States Attorney

1 Dated: May 19, 2022

/s/ Clemente Jimenez

2 Clemente Jimenez
Counsel for Defendant
JOSE MANUEL CHAVEZ ZEPEDA

3 Dated: May 19, 2022

/s/ Etan Zaitsu

4 Etan Zaitsu
5 Counsel for Defendant
DENIS ZACARIAS PONCE
6 CASTILLO

7

8 **ORDER**

9 IT IS SO FOUND AND ORDERED this 19th day of May, 2022.

10

11 /s/ John A. Mendez

12 THE HONORABLE JOHN A. MENDEZ
13 UNITED STATES DISTRICT COURT JUDGE